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Appl. No. : 10/814,412
Filed : March 31, 2004

REMARKS

By way of summary, Claims 1-27 were pending in the present application. Claim 16 has been amended herein. Claims 28-31 have been added herein and no claims are cancelled. Thus, Claims 1-31 are now pending in the present application.

Allowable Subject Matter

Applicant acknowledges with appreciation that the subject matter of Claims 1-15, 19-24, and 27 were deemed allowable.

Claims 16-18 and 25 are Patentable Over Cited References

Claims 16-18 and 25 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,463,902 to Curtis et al. ("Curtis"). Claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Curtis.

Applicant respectfully does not agree with the characterization of the references set forth by the Examiner nor with the rejection of the claims. Nevertheless, to expedite the issuance of the other pending claims, Applicant has amended Claim 16 to more clearly distinguish the claim over the applied reference. In view of the following discussion, Applicant respectfully submits that the claims are in condition for allowance.

Claims 16-18, 25, and 26 are Patentable Over Curtis

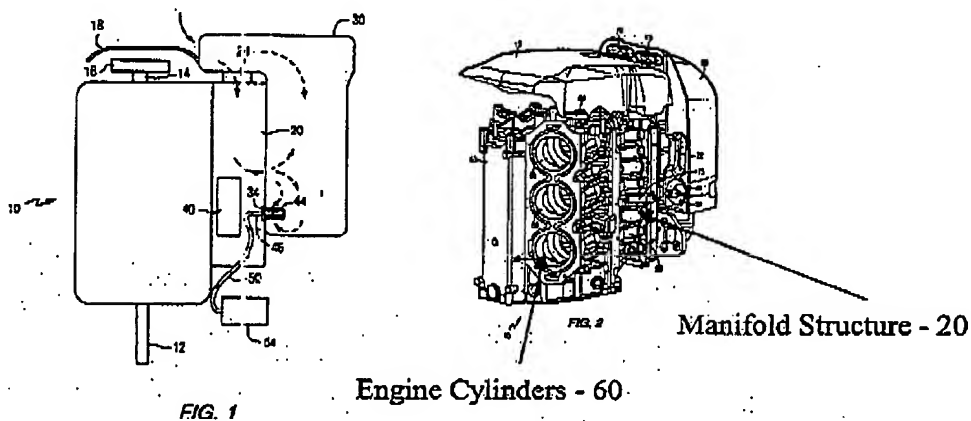
Amended Claim 16 recites:

An engine comprising an engine body including at least one cylinder that has a cylinder axis and that defines in part a combustion chamber, and an air intake system including an air silencer having an air intake port, a throttle body in communication with the air silencer, at least one induction air passage extending along a side of the engine body generally next to the at least one cylinder and substantially parallel with the cylinder axis, and an induction air support member, the induction air support member connected to and providing fluid communication between the air silencer and the induction air passage, the induction air support member being attached to the engine body and supporting the throttle body.

Curtis does not disclose each and every limitation of Claim 16. For example, Curtis does not disclose, *inter alia*, at least one induction air passage extending along a side of the engine

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body generally next to the at least one cylinder and substantially parallel with the cylinder axis. Curtis teaches having an air intake manifold structure 20 for delivering air to the combustion chambers of an engine 10. See Figures 1 and 2 of Curtis reproduced below; see also Col. 3, lines 61-64. In contrast to the structure recited in Claim 16, air is delivered to the crankcase of the engine via a manifold structure 20. The manifold structure 20 does not extend along a side of the engine body generally next to the at least one cylinder and substantially parallel with an axis of the cylinder. Rather, the manifold structure 20 is disposed on a side of the crankcase opposite of the cylinders and defines an air passage that extends from its inlet end in a direction perpendicular to the axes of the engine cylinders. Curtis simply does not disclose the arrangement of the air intake system components recited in Claim 16.



Thus, because Curtis does not disclose each and every limitation of Claim 16, Applicant submits that Claim 16 is in condition for allowance. Claims 17-18, 25, and 26 depend from Claim 16 and are novel and are non-obvious over the art of record on their own merit as well as for at least the same reasons as Claim 16. Applicant therefore respectfully requests the Examiner to withdraw the rejection to Claims 16-18, 25, and 26 and to reconsider the claims.

New Claims

Claims 28-31 have been added. These claims are fully supported by the application as filed and are allowable over the applied reference. Accordingly, no new matter has been added by this amendment. Consideration of new Claims 28-31 is respectfully requested.

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Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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